

implementing the tariff-rate quotas set out in Schedule XX - United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994, to ensure that imports of agricultural products do not disrupt the orderly marketing of commodities in the United States.

3. I have determined that it is necessary to delegate my authority under section 404(a) to administer the tariff-rate quotas relating to cotton, dairy products, peanuts, peanut butter and peanut paste, sugar, and sugar-containing products to the United States Trade Representative and to delegate to the Secretary of Agriculture authority to issue licenses governing the importation of such products under the applicable tariff-rate quotas. The Secretary of Agriculture shall exercise such licensing authority in consultation with the United States Trade Representative.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 301 of title 3, United States Code, and section 404(a) of the URAA, do hereby proclaim:

(1) The United States Trade Representative is authorized to exercise my authority pursuant to section 404(a) of the URAA to take all action necessary, including the promulgation of regulations, to administer the tariff-rate quotas relating respectively, to cotton, dairy products, peanuts, peanut butter and peanut paste, sugar, and sugar-containing products, as the latter products are defined in additional U.S. notes 2 and 3 of the Harmonized Tariff Schedule of the United States. The Secretary of Agriculture, in consultation with the United States Trade Representative, is authorized to exercise my authority pursuant to section 404(a) to issue import licenses governing the importation of such products within the applicable tariff-rate quotas.

(2) All provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of October, in the year of our Lord nineteen hundred and ninety-nine, and of the Independence of the United States of America the two hundred and twenty-fourth.

WILLIAM J. CLINTON.

### § 3602. Special agricultural safeguard authority

#### (a) Determination of trigger levels

Consistent with Article 5 as determined by the President, the President shall cause to be published in the Federal Register—

(1) the list of special safeguard agricultural goods not later than the date of entry into force of the WTO Agreement with respect to the United States; and

(2) for each special safeguard agricultural good—

(A) the trigger level specified in subparagraph 1(a) of Article 5, on an annual basis;

(B) the trigger price specified in subparagraph 1(b) of Article 5; and

(C) the relevant period.

#### (b) Determination of safeguard

If the President determines with respect to a special safeguard agricultural good that it is appropriate to impose—

(1) the price-based safeguard in accordance with subparagraph 1(b) of Article 5; or

(2) the volume-based safeguard in accordance with subparagraph 1(a) of Article 5,

the President shall, consistent with Article 5 as determined by the President, determine the

amount of the duty to be imposed, the period such duty shall be in effect, and any other terms and conditions applicable to the duty.

#### (c) Imposition of safeguard

The President shall direct the Secretary of the Treasury to impose a duty on a special safeguard agricultural good entered, or withdrawn from warehouse, for consumption in the United States in accordance with a determination made under subsection (b).

#### (d) No simultaneous safeguard

A duty may not be in effect for a special safeguard agricultural good pursuant to this section during any period in which such good is the subject of any action proclaimed pursuant to section 2252 or 2253 of this title.

#### (e) Exclusion of NAFTA countries

The President may exempt from any duty imposed under this section any good originating in a NAFTA country (as determined in accordance with section 3332 of this title).

#### (f) Advice of Secretary of Agriculture

The Secretary of Agriculture shall advise the President on the implementation of this section.

#### (g) Termination date

This section shall cease to be effective on the date, as determined by the President, that the special safeguard provisions of Article 5 are no longer in force with respect to the United States.

#### (h) Definitions

For purposes of this section—

(1) the term “Article 5” means Article 5 of the Agreement on Agriculture described in section 3511(d)(2) of this title;

(2) the term “relevant period” means the period determined by the President to be applicable to a special safeguard agricultural good for purposes of applying this section; and

(3) the term “special safeguard agricultural good” means an agricultural good on which an additional duty may be imposed pursuant to the special safeguard provisions of Article 5.

(Pub. L. 103-465, title IV, § 405, Dec. 8, 1994, 108 Stat. 4961; Pub. L. 104-295, § 11, Oct. 11, 1996, 110 Stat. 3520.)

#### AMENDMENTS

1996—Subsec. (b)(1). Pub. L. 104-295, § 11(1), substituted “1(b)” for “1(a)”.

Subsec. (b)(2). Pub. L. 104-295, § 11(2), substituted “1(a)” for “1(b)”.

#### EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103-465, set out as a note under section 3601 of this title.

#### URUGUAY ROUND AGREEMENTS: ENTRY INTO FORCE

The Uruguay Round Agreements, including the World Trade Organization Agreement and agreements annexed to that Agreement, as referred to in section 3511(d) of this title, entered into force with respect to the United States on Jan. 1, 1995. See note set out under section 3511 of this title.

#### DELEGATION OF AUTHORITY

Authority of President under subsec. (a) of this section delegated to Secretary of Agriculture by par. (4) of

Proc. No. 6763, Dec. 23, 1994, 60 F.R. 1010, set out as a note under section 3511 of this title.

PART B—EXPORTS

**§ 3611. Repealed. Pub. L. 104-127, title II, § 201(b), Apr. 4, 1996, 110 Stat. 951**

Section, Pub. L. 103-465, title IV, § 411(e), Dec. 8, 1994, 108 Stat. 4963, reaffirmed commitment of United States to provide food aid to developing countries.

PART C—OTHER PROVISIONS

**§ 3621. Tobacco proclamation authority**

**(a) In general**

The President, after consultation with the Committee on Ways and Means of the House of Representatives and with the Committee on Finance of the Senate, may proclaim the reduction or elimination of any duty with respect to cigar binder and filler tobacco, wrapper tobacco, or oriental tobacco set forth in Schedule XX.

**(b) Effective date**

This section shall take effect on December 8, 1994.

(Pub. L. 103-465, title IV, § 423, Dec. 8, 1994, 108 Stat. 4965.)

EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States [Jan. 1, 1995], except as otherwise provided, see section 451 of Pub. L. 103-465, set out as a note under section 3601 of this title.

**§ 3622. Repealed. Pub. L. 105-362, title XIV, § 1401(c), Nov. 10, 1998, 112 Stat. 3294**

Section, Pub. L. 103-465, title IV, § 424, Dec. 8, 1994, 108 Stat. 4965, related to the President's report to Congress on access to Canadian dairy and poultry markets.

**§ 3623. Study of milk marketing order system**

The Secretary of Agriculture shall conduct a study to determine the effects of the Uruguay Round Agreements on the Federal milk marketing order system. Not later than 6 months after the date of entry into force of the WTO Agreement with respect to the United States, the Secretary of Agriculture shall report to the Congress on the results of the study.

(Pub. L. 103-465, title IV, § 425, Dec. 8, 1994, 108 Stat. 4965.)

EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States [Jan. 1, 1995], except as otherwise provided, see section 451 of Pub. L. 103-465, set out as a note under section 3601 of this title.

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**§ 3624. Additional program funding**

**(a) Use of additional funds**

Consistent, as determined by the President, with the obligations undertaken by the United

States set forth in the Uruguay Round Agreements, the Commodity Credit Corporation shall use, in addition to any other funds appropriated or made available for such purposes, any funds made available under subsection (b) for authorized export promotion, foreign market development, export credit financing, and promoting the development, commercialization, and marketing of products resulting from alternative uses of agricultural commodities.

**(b) Amount of additional funds**

Amounts shall be credited to the Commodity Credit Corporation in fiscal year 1995 equal to the lesser of the dollar amount of—

- (1) the fiscal year 1995 Pay-As-You-Go savings; and
- (2) the 5-year Pay-As-You-Go savings;

under section 902 of title 2, resulting from the enactment of the Federal Crop Insurance Reform Act of 1994.

**(c) Effective date**

This section shall take effect on December 8, 1994.

(Pub. L. 103-465, title IV, § 426, Dec. 8, 1994, 108 Stat. 4966.)

REFERENCES IN TEXT

The Federal Crop Insurance Reform Act of 1994, referred to in subsec. (b), is title I of Pub. L. 103-354, Oct. 13, 1994, 108 Stat. 3179. For complete classification of this Act to the Code, see Short Title of 1994 Amendment note set out under section 1501 of Title 7, Agriculture, and Tables.

EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States [Jan. 1, 1995], except as otherwise provided, see section 451 of Pub. L. 103-465, set out as a note under section 3601 of this title.

**CHAPTER 23—EXTENSION OF CERTAIN TRADE BENEFITS TO SUB-SAHARAN AFRICA**

SUBCHAPTER I—TRADE POLICY FOR SUB-SAHARAN AFRICA

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- 3704. United States-Sub-Saharan Africa Trade and Economic Cooperation Forum.
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